

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:08-CR-021-KDB-DCK**

UNITED STATES OF AMERICA,)
Plaintiff,)
)
vs.)
)
)
DEMOND SHEVIN DIXON,)
Defendant,)
and)
)
NGK CERAMICS USA INC.,)
Garnishee.)

ORDER OF CONTINUING GARNISHMENT

THIS MATTER IS BEFORE THE COURT on the United States’ “Motion For Order Of Continuing Garnishment” filed February 8, 2023 (Document No. 154). Judgment in the criminal case was filed on August 4, 2009 (Document No. 93). As part of that Judgment, the Defendant was ordered to pay an assessment of \$300.00 and restitution of \$22,125.00 to the victim of the crime. Id.

On October 24, 2022, the Court entered a Writ of Continuing Garnishment (“Writ”) (Document No. 148) to the Garnishee, NGK Ceramics USA Inc.. The Garnishee was served with the Writ on October 28, 2022, and the Defendant was served on October 29, 2022. At the time of the service of the Writ, the Garnishee had in its custody, control or possession property or funds owned by the Defendant, including non-exempt, disposable earnings. The Defendant filed a request for hearing with the Court using one of the forms provided by the United States on November 14, 2022 (Document No. 151). The United States filed a response to the Defendant’s

request for hearing on January 23, 2023 (Document No. 152). The Court denied the Defendant's request for hearing on January 25, 2023 (Document No. 153).

IT IS, THEREFORE, ORDERED that an Order of Continuing Garnishment is hereby **ENTERED** in the amount of \$14,281.45 computed through October 21, 2022. The Garnishee shall pay the United States the lesser of (1) twenty-five percent of the Defendant's disposable earnings which remain after all deductions required by law have been withheld, or (2) the amount by which the Defendant's disposable earnings for each week exceed 30 times the federal minimum wage. See 15 U.S.C. § 1673(a). The Garnishee shall continue payments until further Order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

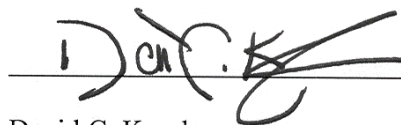
Clerk of the United States District Court
401 West Trade Street
Charlotte, North Carolina 28202

In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW5:08CR21-3.

IT IS FURTHER ORDERED that the Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the Defendant would normally receive may be offset and applied to this debt.

SO ORDERED.

Signed: February 8, 2023

A handwritten signature in black ink, appearing to read 'D.C. Keesler', is written over a horizontal line.

David C. Keesler
United States Magistrate Judge

